

1 DAVID R. FISCHER, ESQ.
2 Nevada Bar No. 10348
3 LAW OFFICE OF DAVID R. FISCHER
4 400 South 4th Street, Suite 500
5 Las Vegas, Nevada 89101
Telephone: (702) 547-3944
Facsimile: (702) 974-1458
Email: federal@fischerlawlv.com
Attorney for Defendant PABLO GUZMAN-HERNANDEZ

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7 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

8
9 UNITED STATES OF AMERICA,
10 Plaintiff,
11
12 vs.
13 PABLO GUZMAN-HERNANDEZ,
14 Defendant.

Case No.: 2:18-cr-00296-JCM-NJK

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16 **STIPULATION TO CONTINUE**
HEARING FOR SENTENCING
(First Request)

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18 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich,
United States Attorney, Jared L. Grimmer, Esq., Assistant United States Attorney, and David R.
Fischer, Esq., counsel for defendant PABLO GUZMAN-HERNANDEZ, that the Hearing for
Sentencing in the above-captioned matter set for Tuesday, February 25, 2020, at 10:30 A.M., be
vacated and continued to a date and time convenient to the Court but no earlier than thirty (30)
days.

20 This Stipulation for the continuance is entered into for the following reasons:

21 1. This is a request by counsel for the Defendant, PABLO GUZMAN-HERNANDEZ;

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- 2 2. The additional time requested by this Stipulation is reasonable pursuant to Federal
- 3 Rule of Criminal Procedure 32(b)(2), which states that “the court may, for good
- 4 cause, change any limits prescribed in this rule”;
- 5 3. Counsel requests this additional time in order to allow adequate time to research
- 6 Sentencing issues and to prepare for the sentencing hearing;
- 7 4. Counsel communicated with the Defendant, PABLO GUZMAN-HERNANDEZ,
- 8 who is currently in custody at the Nevada Southern Detention Center, and
- 9 GUZMAN-HERNANDEZ agrees with the continuance;
- 10 5. This is the first request for a continuance filed herein.

11 WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a
12 continuance of the Sentencing Hearing to be set to a date and time convenient to the Court but
13 no earlier than thirty (30) days.

14 DATED this 13th day of January, 2020

15 */s/ Jared L. Grimmer*
16 JARED L. GRIMMER, ESQ.
17 Assistant United States Attorney
18 Counsel for the United States

19 */s/ David R. Fischer*
20 DAVID R. FISCHER, ESQ.
21 Counsel for Defendant GUZMAN-HERNANDEZ

CERTIFICATE OF ELECTRONIC SERVICE

I HEREBY CERTIFY that I am an employee or agent of the LAW OFFICE OF DAVID R. FISCHER and am a person of such age and discretion as to be competent to serve papers and that, on the 13th day of January 2020, I served a copy of the above and foregoing **STIPULATION TO CONTINUE SENTENCING HEARING** in the following manner(s):

ELECTRONIC SERVICE: Pursuant to Local Rule IC 4-1 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

UNITED STATES MAIL: By depositing a true and correct copy of the above referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

PABLO GUZMAN-HERNANDEZ

OVERNIGHT COURIER: By depositing a true and correct copy of the above referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their last-known mailing address.

FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

EMAIL: By sending the above-referenced document via email to those persons at the email addresses set forth below:

/s/ David R Fischer
DAVID R. FISCHER, ESQ.
Attorney for Defendant GUZMAN-HERNANDEZ

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
vs.
PABLO GUZMAN-HERNANDEZ
Defendant.

Case No.: 2:18-cr-00296-JCM-NJK

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. This is a request by counsel for the Defendant, PABLO GUZMAN-HERNANDEZ;
2. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that “the court may, for good cause, change any limits prescribed in this rule”;
3. Counsel requests this additional time in order to allow adequate time to research Sentencing issues and to prepare for the sentencing hearing;
4. Counsel communicated with the Defendant, PABLO GUZMAN-HERNANDEZ, who is currently in custody at the Nevada Southern Detention Center, and GUZMAN-HERNANDEZ agrees with the continuance;
5. This is the first request for a continuance filed herein.

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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

ORDER

IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled for Tuesday, February 25, 2020 at 10:30 A.M., be continued to the 30th day of March, 2020, at 10:00 AM, in courtroom 6A.

IT IS SO ORDERED:

HONORABLE JAMES C. MAHAN

UNITED STATES DISTRICT JUDGE
Case No.: 2:18-cr-00296-JCM-NJK

DATED: January 15, 2020